E COPY

Supreme Court, U. S.
FILED
OCT 18 1972
MICHAEL RODAK, JR., CLERK

IN THE

Supreme Court of the United States

October Term, 1971

No. 71-1624

MOSES LEWIS, JR., *Petitioner*

v.

STRACHAN SHIPPING COMPANY, ET AL,
Respondents

Petition for Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit

---

MOTION FOR REHEARING ON PETITION FOR CERTIORARI

MANDELL & WRIGHT
ARTHUR J. MANDELL
SIDNEY RAVKIND
1901 First National Life Bldg.
Houston, Texas 77002

Attorneys for Moses Lewis, Jr.

Alpha Law Brief Co., One Main Plaza, No. 1 Main St., Houston, Texas 77002

IN THE

Supreme Court of the United States

October Term, 1971

No. 71-1624

MOSES LEWIS, JR., *Petitioner*

v.

STRACHAN SHIPPING COMPANY, ET AL,
Respondents

MOTION FOR REHEARING ON PETITION FOR CERTIORARI

On October 10, 1972, this Court denied the petition for certiorari with Justice Douglas dissenting. Because we believe the Court determined to deny certiorari because of the Solicitor General's representation that another case is coming up in another circuit, and because we believe the Court does not appreciate the absolute chaos which will be generated in the meantime, we file this motion for rehearing.

I.

The case coming up in the D. C. Circuit has not yet been decided by the district court. It may be settled or

otherwise delayed in reaching this Court. Meanwhile. literally thousands of longshoremen who filed initial claims for compensation but who did not file second claims or third claims for compensation will be denied benefits under Fifth Circuit's decision. Of course, it could go unsaid that Moses Lewis, your petitioner, will finally lose his compensation rights.

II.

Given these circumstances, we respectfully ask that final decision in this matter be stayed until such time as the case mentioned by the Solicitor General reaches the Court or the Court of Appeals.

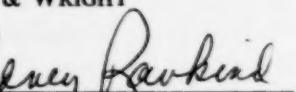
III.

This motion is filed in good faith and not for purposes of delay or any other unworthy cause.

Wherefore, we pray that this cause be retained on the Court's docket until *Intercounty Construction Corp. v. Walter,* C.A. # 297-72 before the District Court of D.C. is decided by the Court of Appeals for that Circuit.

Respectfully submitted,

MANDELL & WRIGHT

By 

Arthur J. Mandell
Sidney Ravkind
1901 First National Life Bldg.
Houston, Texas 77002

Attorneys for Moses Lewis, Jr.

CERTIFICATE OF SERVICE

This is to certify that on the 17th day of October, 1972, copies of the foregoing Motion for Rehearing have been served on Mr. Ed Vickery, of Royston, Rayzor, Cook & Vickery, Suite 3710, One Shell Plaza, Houston, Texas 77002, Attorneys for Strachan Shipping Company and Texas Employers' Insurance Association; on Mr. Anthony J. P. Farris, United States Attorney, P. O. Box 61129, Houston, Texas 77061, Attorney for Lee H. Hollis, Deputy Commissioner, on L. Patrick Gray III, Assistant Attorney General and Leavenworth Colby, Special Assistant to the Attorney General, U. S. Department of Justice, Washington, D.C. 20530, on the Honorable Erwin N. Griswold, Solicitor General of the United States, Department of Justice, Washoington, D.C. 20530, and on Lee H. Hollis, Deputy Commissioner, U. S. Department of Labor, Room 212, Post Office Building, Galveston, Texas 77550.

Sidney Ravkind

Sidney Ravkind